



Tracy Kulikowski
Land Use Director
56 Norfield Road
Weston, CT 06883
203-222-2530

MEMORANDUM

To: Donna Anastasia
From: Tracy Kulikowski
Date: March 30, 2012
Re: Proposed Amendments to the Zoning Regulations: Section 313 (Fences)

Attached is a copy of the proposed amendment to the existing fence regulations, Section 313 of the Zoning Regulations, prepared by the Weston Planning & Zoning Commission. The proposal would eliminate the 4 foot height limit for fences within 20 feet of a public way and requires the height of those retaining walls that are located within 20 feet of a fence to be included in the height of a fence.

The Planning & Zoning Commission will open the public hearing on the proposed amendments to the fence regulation on Monday, April 16, 2012 at 7:30 pm. The first page is the proposed language. The second page illustrates the language that would be added to the section and the language that would be deleted. State statutes require that a copy of the proposed amendment be filed with the Town Clerk's Office.

Thank you!

cc: Zoning Board of Appeals
Code Enforcement Officer

TOWN of WESTON, CONNECTICUT



Incorporated 1787

Planning & Zoning Commission

Draft Proposed: February 21, 2012

Public Hearing:

Proposed Fence Regulation Amendment

Section 313 of the Zoning Regulations is deleted in its entirety and replaced as follows:

Section 313 Fences

313.1 Fence Height. No portion of any Fence¹ shall exceed six (6) feet in height.

313.2 Open Mesh Fence. Notwithstanding the provisions of Sections 313.1, that portion of a Fence consisting of open mesh having a mesh size of no fewer than two (2) inches and consisting of a wire diameter of no greater than 0.120 inches (eleven gauge)² and may measure up to ten (10) feet in height (measured from the adjoining grade pursuant to Section 313.3, below).

313.3 Measurement of Fence Height. For purposes of this Section 313, the height of a Fence at any given point shall be determined by measuring the height of such Fence from the adjoining finished grade on one side of the Fence. In the event the measurement of one side of the Fence differs from the other (including, without limitation, retaining walls), the greater measurement shall be deemed to be the height of the Fence at the point of measurement. In the event the Fence is constructed on a berm fewer than twenty (20) feet in width at its base, the height of the berm shall be included in the height of the Fence. In the event the Fence is constructed within twenty (20) feet of a retaining wall, the height of the retaining wall shall be included in the height of the Fence. All ornamentation, lighting and other structures affixed to a Fence shall be deemed part of the Fence for purposes of measurement.

Pursuant to C.G.S. §8-3a(a), the Commission finds that this regulation is consistent with the 2010 Town Plan of Conservation and Development. The foregoing amendment shall be effective upon publication.

¹ Guidance: Walls and retaining walls are included in the definition of 'Fences'.

² Guidance: This is standard chain link.

Section 313 Fences

313.1 Fence Height. No portion of any Fence¹ shall exceed six (6) feet in height.

313.2 Fences Along a Public Way. ~~Notwithstanding the provisions of Section 313.1, no portion of any Fence situated within twenty (20) feet of a Public Way (excluding any portion of a Fence which is perpendicular to such Public Way) shall exceed four (4) feet in height.~~

313.3 Columns. ~~Notwithstanding the provisions of Section 313.2, columns may be constructed at the terminal ends of any Fence provided such columns shall not exceed six (6) feet in height and three (3) feet in width.~~

313.4 Open Mesh Fence. Notwithstanding the provisions of Sections 313.1 and 313.2, that portion of a Fence consisting of open mesh having a mesh size of no fewer than two (2) inches and consisting of a wire diameter of no greater than 0.120 inches (eleven gauge)² may measure up to ten (10) feet in height (measured from the adjoining grade pursuant to Section 313.3, below).

313.5 Measurement of Fence Height. For purposes of this Section 313, the height of a Fence at any given point shall be determined by measuring the height of such Fence from the adjoining finished grade on one side of the Fence. In the event the measurement of one side of the Fence differs from the other (including, without limitation, retaining walls), the greater measurement shall be deemed to be the height of the Fence at the point of measurement. In the event the Fence is constructed on a berm fewer than twenty (20) feet in width at its base, the height of the berm shall be included in the height of the Fence. In the event the Fence is constructed within twenty (20) feet of a retaining wall, the height of the retaining wall shall be included in the height of the Fence. All ornamentation, lighting and other structures ~~installed on~~affixed to a Fence shall be deemed part of the Fence for purposes of measurement.

¹ Guidance: Walls and retaining walls are included in the definition of 'Fences'.

² Guidance: This is standard chain link.